

APPEAL NO. 022944
FILED DECEMBER 23, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on October 24, 2002. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) is not entitled to reimbursement of travel expenses for medical treatment at the direction of Dr. S and that the claimant is not entitled to reimbursement of travel expenses for medical treatment at the direction of Dr. C. The claimant appealed and the respondent (carrier) responded.

DECISION

The hearing officer's decision is affirmed.

Tex. W.C. Comm'n 28 TEX. ADMIN. CODE § 134.6 (Rule 134.6) contains the requirements for reimbursement of travel expenses, one of which is that medical treatment for the compensable injury is not reasonably available within 20 miles of the injured employee's residence. The hearing officer determined that the medical treatment the claimant sought and received in (City 1), Texas was reasonably available within 20 miles of the claimant's residence in (City 2), Texas. Conflicting evidence was presented on the disputed issues. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. We conclude that the hearing officer's determinations are supported by sufficient evidence and that they are not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **DEEP EAST TEXAS SELF INSURANCE FUND** and the name and address of its registered agent for service of process is

**TOM LONG
314 HIGHLAND MALL BOULEVARD, SUITE 202
AUSTIN, TEXAS 78752.**

Robert W. Potts
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Veronica Lopez
Appeals Judge